

RECEIVED
CENTRAL FAX CENTER

DEC 15 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/087,433 Confirmation No.: 3428
Applicant(s): Hung Viet Ngo
Filed: 3/1/2002
Art Unit: 2874
Examiner: Kang, Juliana K.
Title: Angled Optical Connector Adapter Mounting Assembly
Attorney Docket No.: 003A.0043.U1(US)
Customer No.: 29,683

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response To Office Action

Sir:

This is in response to the Office Action mailed 10/28/2004 in regard to the above-identified patent application.

Claims 1-28, 42 and 43 have been allowed. Claims 29-41 were rejected under 35 U.S.C. §103(a) as being unpatentable over Duran (US 6,688,780) in view of Benner et al. (US 6,568,861). The examiner is requested to reconsider this rejection.

It is believed that Benner et al. is not a proper reference. The present application has a filing date of March 1, 2002. Benner et al. issued on May 27, 2003. Benner et al. is owned by the same owner as the present application: FCI Americas Technology, Inc. (assignment document recorded on 03/02/2002 at Reel 012671, Frame 0001). Benner et al. and the present application were, at the time the invention of the present application was made, commonly owned. The examiner is directed to MPEP §706.02(1)(2). In accordance with MPEP

Appl. No.: 10/087,433
Reply to Office Action of: 10/28/2004

§706.02(1)(2)(II), it is understood that this statement alone is sufficient evidence to disqualify Benner et al. from being used in a rejection under 35 U.S.C. §103(a) against the claims of the present application. Thus, the examiner is requested to withdraw the rejections based upon Benner et al.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issue remain, the Examiner is invited to call applicant's Attorney at the telephone number indicated below.

Respectfully submitted,

Mark F. Harrington
Mark F. Harrington (Reg. No. 31,686)

12/15/04
Date

Customer No.: 29683
Harrington & Smith, LLP
4 Research Drive
Shelton, CT 06484-6212
203-925-9400

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

12/15/2004
Date

Elaine F. Man
Name of Person Making Deposit